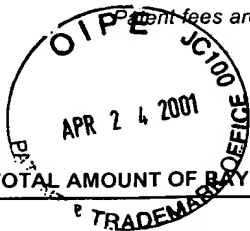


# FEE TRANSMITTAL for 2001

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT (\$)

420.00

Complete Known

Application Number 09/765,431  
 Filing Date January 22, 2001  
 First Named Inventor William M. Johns  
 Examiner Name Unassigned  
 Group Art Unit 2661  
 Attorney Docket No. 111788.00101, Customer No. 2779

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:  
 Deposit Account No. **23-2185**  
 BLANK ROME COMISKY & MCCAULEY LLP
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status. See 37 CFR 1.27
2. Payment Enclosed: ☒ Check ☐ Other  
☐ Money Order ☐ Credit Card

## FEE CALCULATION

### 1. Basic Filing Fee

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	355
106	320	206	160	Design Filing Fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)					355

### 2. EXTRA CLAIM FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
107	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. Additional Fees

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension of reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	242	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

65

BLANK ROME COMISKY & MCCAULEY LLP

THE FARRAGUT BUILDING

SUITE 1000

900 17TH STREET, NW

WASHINGTON, DC 20006

TEL (202) 530-7400

FAX (202) 463-6915

Name: David J. Edmondson

Registration No.: 35,126

Signature:

Date: April 24, 2001

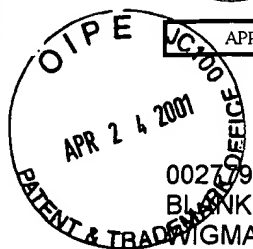
MC

*Leah*



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/765,431	01/22/2001	William M. Johns	111788.00101

002709

BLANK ROME COMISKY & MCCAULEY  
WIGMAN COHEN LEITNER & MYERS  
THE FARRAGUT BUILDING SUITE 1000  
900 17TH STREET NW  
WASHINGTON, DC 20006

CONFIRMATION NO. 9036

FORMALITIES LETTER



\*OC000000005811176\*

Date Mailed: 02/28/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch); 6 sheets of drawings in compliance attached.

04/26/2001 HGBREMI 00000066 09/765431

01 FC:201 355.00 OP  
02 FC:205 65.00 OP

*A copy of this notice MUST be returned with the reply.*

ER

---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
William M. JOHNS et al. ) Art Unit: 2661  
Serial No. 09/765,431 ) Examiner: Unassigned  
Filed: January 22, 2001 )  
For: **SYSTEM AND METHOD FOR** ) Atty. Dkt.: 000788.00101  
**CONTINUOUS MONITORING** ) April 24, 2001  
**AND MEASUREMENT OF** )  
**PERFORMANCE OF COMPUTERS** )  
**ON NETWORK** ) CRW/DJE

REQUEST AND CERTIFICATION UNDER 35 USC §122(b)(2)(B)(i)

Assistant Commissioner for Patents  
Washington, D.C. 20231

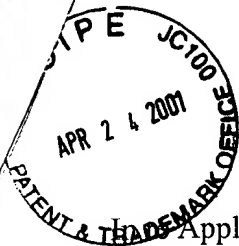
Sir:

I hereby certify that, upon the filing date hereof, the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under multilateral international agreement, that requires publication of application eighteen months after filing. I hereby request that the attached application not be published under **35 USC §122(b)(2)(B)(i)**.

Respectfully submitted,

David J. Edmondson  
Registration No. 35,126  
Attorney for Applicants

Customer No. 002779  
BLANK ROME COMISKY & McCAULEY LLP  
900 17th Street, N.W., Suite 1000  
Washington, D.C. 20006  
Telephone: 202-530-7400  
Facsimile: 202-463-6915



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

William M. JOHNS et al.

Serial No. 09/765,431

Filed: January 22, 2001

For: **SYSTEM AND METHOD FOR  
CONTINUOUS MONITORING  
AND MEASUREMENT OF  
PERFORMANCE OF COMPUTERS  
ON NETWORK**

)  
)  
) Art Unit: 2661

)  
) Examiner: Unassigned

)  
)  
) Atty. Dkt.: 000788.00101

) April 24, 2001

) CRW/DJE

**LETTER TO THE OFFICIAL DRAFTSPERSON**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants, through counsel, hereby submit 6 (six) sheets of formal drawings containing  
Figures 1-6 in lieu of the drawings filed originally with this application.

Respectfully submitted,

David J. Edmondson  
Registration No. 35,126  
Attorney for Applicants

Customer No. 002779  
BLANK ROME COMISKY & McCAULEY LLP  
900 17th Street, N.W., Suite 1000  
Washington, D.C. 20006  
Telephone: 202-530-7400  
Facsimile: 202-463-6915